



80 South Jefferson Road
Whippany, NJ 07981

John Ricker
Executive Director
Universal Service Program Support

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Voice: 973-884-8085
Fax: 973-560-4434
E-mail: jricker@neca.org

November 18, 2002

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S W
Room TW-A235
Washington, D. C. 20554

Re: **Telecommunications Relay Services and Speech-to-Speech for
Individuals with Hearing and Speech Disabilities,
CC Docket No. 98-67**

Dear Ms. Dortch:

On behalf of the Interstate TRS Fund Advisory Council (the Council), the National Exchange Carrier Association, Inc. (NECA) respectfully requests that the Commission act soon to resolve outstanding questions regarding the status of a national TRS outreach program.

Since 1993, the Commission has required carriers to advertise the availability of Telecommunications Relay Services (TRS) through such means as publication in phone directories and billing inserts.¹ Commenters in various phases of this proceeding have repeatedly suggested, however, that existing Commission rules and orders, which generally encourage but do not mandate TRS outreach efforts, are not adequate.

Convinced that existing outreach rules have not effectively ensured that callers are aware of TRS, and that a lack of awareness adversely affects the quality of TRS, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking (FNPRM)* in March 2000 which tentatively concluded that TRS service would be improved with a

¹ 47 C.F.R. 64.604 (c)(2). See generally *Telecommunications Services for Hearing-Impaired and Speech-Impaired Individuals, and the Americans with Disabilities Act of 1990*, CC Docket No. 90-571, *Report and Order and Request for Comments*, 6 FCC Rcd 4651 (1991).

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nationwide awareness campaign potentially supported by the Interstate TRS Fund.' The *FNPRM* also proposed to amend the mission of the Interstate TRS Fund Advisory Council to include establishing guidelines and a procedure to fund a coordinated national outreach campaign.³

Comments submitted in response to the *FNPRM* generally supported the Commission's proposal to institute a nationwide awareness program. The Commission has yet to act on this proposal, however.

In its August 2000 ***Second Report and Order*** in CC Docket 92-105,⁴ the Commission required carriers, in cooperation with relay providers and the states, to engage in on-going outreach programs to publicize the availability of 711 access. However, the Commission did not mandate any specific means of advertising 711 access to TRS. Similarly, in June 2001, the Commission sought comment on the need ~~for~~ an outreach program to inform consumers of the availability of Internet Protocol Relay (IP Relay).⁵

While comments filed in that proceeding generally supported creation of an IP Relay outreach program, to be integrated into a general TRS Outreach program, the Commission's **April 22, 2002 *IP Relay Order***⁶ did not resolve the outreach question. The Commission did, however, suggest that IP Relay outreach questions would be considered along with comments filed in response to the March 2000 *FNPRM*.⁷

Most recently, the Commission released its ***Fifth Report and Order*** in this proceeding regarding TRS payphone calls.⁸ That Order again encouraged carriers to conduct individual outreach efforts on the use of payphones to make TRS calls (for **example**, by conducting TRS demonstrations at malls and through advertisements in printed media) but

² Telecommunications Relay Services and Speech-to-Speech for Individuals with Hearing and Speech Disabilities, CC Docket No. 98-67, ***Report and Order and Further Notice of Proposed Rulemaking***, 15 FCC Rcd 5140 (2000).

³ *Id.* at ¶ 134

⁴ The Use of N11 Codes and Other Abbreviated Dialing Arrangements, CC Docket No. 92-105, ***Second Report and Order***, 15 FCC Rcd 15188 (2000).

⁵ Consumer Information Bureau Seeks Additional Comment on the Provision of Improved Telecommunications Relay Service, CC Docket No. 98-67, ***Public Notice*** 16 FCC Rcd 13100 (2001)

⁶ Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals With Hearing and Speech Disabilities, Petition for Clarification of WorldCom, Inc., CC Docket No. 98-67, ***Declaratory Ruling and Second Further Notice of Proposed Rulemaking***, 17 FCC Rcd 7779 (2002).

⁷ *Id.* at n. 11

⁸ Telecommunications Relay Services and the Americans with Disabilities Act of 1990, CC Docket No. 90-571, ***Fifth Report and Order***, FCC 02-269 (rel. Oct. 25, 2002). This Order addressed issues presented in the 2001 ***Further Notice***. See Telecommunications Relay Services and the Americans with Disabilities Act of 1990, CC Docket No. 90-571, ***Second Further Notice of Proposed Rulemaking***, 16 FCC Rcd 5803 (2001).

failed to respond directly to suggestions for nationwide outreach programs. In a separate statement issued with the *Fifth Report and Order*, Commissioner Michael **Copps** expressed frustration with the Commission's failure to resolve questions regarding a nationwide outreach program.⁹

The issue of whether to create a nationwide outreach program has been outstanding for over two and a half years. The Council would appreciate the Commission's decision on this extremely important **issue** as quickly as possible.

Respectfully submitted,



NECA, Inc.

On behalf of the Interstate TRS Fund Advisory Council

⁹ *Id.*, Statement of Commissioner Michael I. Copps. Approving in Part, Dissenting in Part.